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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/580,093	01/08/2007	Volker Brass	0740-80	7461
616	7590	02/05/2008		
THE MAXHAM FIRM 9330 SCRANTON ROAD, SUITE 350 SAN DIEGO, CA 92121			EXAMINER. TRINH, TAN H	
			ART UNIT	PAPER NUMBER
			2618	
			MAIL DATE	DELIVERY MODE
			02/05/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/580,093

Applicant(s)

BRASS ET AL.

Examiner

TAN TRINH

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement (IDS) submitted on 08-20-2007, the information disclosure statement has been considered by the examiner.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 12, 15 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raith (U.S. Patent No. 6,385,461) in view of Sollner (U.S. Patent No. 5,506,837).

Regarding claims 12 and 27, Raith teaches a method for providing active members of a Voice Group Call Service (VGCS) with additional information text-and/or binary signal transmission SMS and text message (see fig. 1 and 3, col. 3, lines 59-67, and col. 7, lines 65-67) the method comprising: transmitting the additional information in a message on an associated control channel for a traffic channel of the voice group (see col. 3, lines 39-52), wherein the message contains a voice group call ID (VGC-ID) or a voice group call Reference (VGC reference) (see user group call ID (UGID) col. 6, lines 14-67); triggering (see col. 7, lines 52-col. 8, lines 12, and col. 9, lines 61-67), via a mobile switching center (MSC), a message, addition-information-request-message, on an A-interface a base station subsystem (BSS). In this case, the

BSS is inherently with the system of the BTS and MCS. To send the additional information to the group members (see fig. 1-2, col. 7, lines 52-col. 8, lines 12, and col. 9, lines 61-67, and col. 3, lines 49-67, and col. 4, lines 49-61), and sending, via the BSS the additional information on a of Slow Page Associated Channel (SPACH) and Broadcast Channel (BCCH) all traffic channels (TCHs) where the VGC is ongoing (see fig. 1-2, col. 4, lines 26-61). But Raith does not mention the sending information on the slow associated control channel (SACCH).

However, Sollner teaches sending information on the slow associated control channel (SACCH) (see fig. 4-5, col. 5, lines 19-58).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify above teaching of Raith with Sollner, in order to provide GSDM system to measure signal strength and bit error rate of the selected channel of each mobile station easier (see suggested by Sollner on col. 6, lines 1-5).

Regarding claim 15, Raith teaches the additional information is not provided in radio cells which belong to the VGC-area but a VGC-channel is not established (see fig. 3, col. 4, lines 49-col. 5, lines 16). In this case, the user has joined and has registration the GVC service is read the information and VGC-channel is established, for the user does not joined and has not registration then the VGC-channel is not established.

4. Claims 13-14, 16-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raith (U.S. Patent No. 6,385,461) in view of Sollner (U.S. Patent No. 5,506,837) further in view of Kundu (U.S. Pub. No. 2005/0239485).

Regarding claim 13, Raith teaches the message is sent on a resource controlling signaling on control channel (see fig. 2, col. 3, lines 39-48). But Raith does not mention a resource controlling signaling connection control part (SCCP) connection.

However, Kundu teaches a resource controlling signaling connection control part (SCCP) connection (see fig. 6, page 3, section [0049]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify above combination of the teaching of Raith and Sollner with Kundu, in order to provide maintains reliable transport over a signaling link by monitoring status and performing error checks.

Regarding claim 14, Raith teaches the message is sent on a resource controlling signaling on control channel (see fig. 2, col. 3, lines 39-48). And But Raith does not mention a resource controlling signaling connection control part (SCCP) connection of the VGC without addressing a meant VGC.

However, Kundu teaches a resource controlling signaling connection control part (SCCP) connection (see fig. 6, page 3, section [0049]). And since the connection of the VGC without addressing because using group ID. instead of a the addressing.

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify above combination of the teaching of Raith and Sollner with

Kundu, in order to provide maintains reliable transport over a signaling link by monitoring status and performing error checks.

Regarding claims 16 and 17, Raith teaches the additional information is not provided in radio cells which belong to the VGC-area but a VGC-channel is not established (see fig. 3, col. 4, lines 49-col. 5, lines 16). In this case, the user has joined and has registration the GVC service is read the information and VGC-channel is established, for the user does not joined and has not registration then the VGC-channel is not established.

Regarding claim 18-20, Kundu teaches the additional information is sent on a controlling signaling connection control part (SCCP) connection (see fig. 6, page 3, section [0049]), Sollner teaches the BSS is responsible sending information on the slow associated control channel (SACCH) (see fig. 4-5, col. 5, lines 19-58). Therefore, the combination of Kundu and Sollner is teaching the limitation of the claim.

Regarding claims 21-23, Raith teaches after having receive the additional information, the MS provides an acknowledge information to the BS that the additional information was received (see col. 1, lines 60-62). That is obvious to the BSS send the acknowledge information to the BSC.

Regarding claims 24-26, Kundu teaches give an indication that the additional information was at least received by a current talker, the talker sends an acknowledgement on an uplink-

SACCH for this VGC (see page 5, sections [0077-0078], and Sollner teaches sending information on the slow associated control channel (SACCH) (see fig. 4-5, col. 5, lines 19-58). Since Kundu teaches the talker and listener start talking and receiving with responds by PTT Button, that is the acknowledgement, and also Sollner teaches sending information on the slow associated control channel (SACCH), Therefore, the combination of Kundu and Sollner teaches the limitation of the claim.

***Conclusion***

**5. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

**(571) 273-8300, (for Technology Center 2600 only)**

*Hand-delivered responses should be brought to the Customer Service Window (now located at the **Randolph Building, 401 Dulany Street, Alexandria, VA 22314**).*

**6.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan Trinh whose telephone number is (571) 272-7888. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiners supervisor, Anderson, Matthew D., can be reached at (571) 272-4177.

The fax phone number for the organization where this application or proceeding is assigned is **(571) 273-8300**.

Application/Control Number:  
10/580,093  
Art Unit: 2618

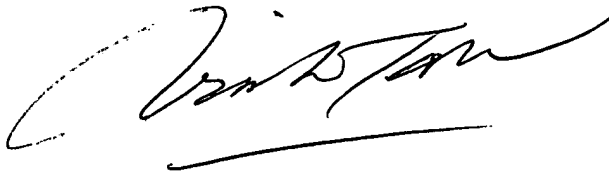
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600 Customer Service Office** whose telephone number is **(703) 306-0377**.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tan H. Trinh  
Division 2618  
February 2, 2008

**PATENT EXAMINER**  
**TRINH, TAN**

A handwritten signature in black ink, appearing to read 'Tan H. Trinh', with a long horizontal flourish underneath.